UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,921	10/26/2000	Mohamed Anisur Rahman	2925-0442P	4316

30594 7590 07/06/2005	EXAMINER
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195	HSU, ALPUS

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/695,921	RAHMAN ET AL.
	Examiner	Art Unit	
	Alpus H. Hsu	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 May 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3.   Claims 1-9, 1 1-13, 15-18, 20, 22-25, 27-30 are rejected under 3.5 U.S.C. 103(a) as being

unpatentable over BILLINGS in U.S. Patent No. 4,714,989 in view of SUGIARTO et al. in U.S.

Patent Application Pub. No. US 2002/0002596 A1 (both of records).

Referring to claim 1, BILLINGS discloses a method of service creation and/or

negotiation in a wired communication network, comprising: receiving a request for service

creation or negotiation (col. 3, lines 9-11, col. 5, lines 16-19), accessing a logically linked

dynamic storage in accordance with the request', obtaining, from the storage, user information

associated with the request, obtaining, from the storage, network information associated with the

user information (col. 3, lines 31-36, col. 5, lines 19-23), comparing the request with the user

information and the associated network information (col. 5, line 66 to col. 6, line 6, col. 7, lines

33-63), and providing the requested service based on the comparison (col. 3, lines 12-15, col. 5,

lines 22-23).

BILLINGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claim 2, BILLINGS discloses the logically linked dynamic storage

is dynamically updated in accordance with the user and network information (col. 3, lines 33-

36).

Referring to claim 3, BILLINGS discloses the step of providing the requested service is

performed by accessing the logically linked dynamic storage without having to access any other

portions of the network to minimize signal overloading (col. 3, lines 24-29).

Referring to claim 4, BILLINGS discloses a method of service creation and/or

negotiation in a wired communication network, comprising: receiving a request for service

creation or negotiation (col. 3, lines 9-11, col. 5, lines 16-19), accessing a logically linked

dynamic storage in accordance with the request, obtaining, from the storage, service information

associated with the request, obtaining, from the storage, user information associated with the

service information; obtaining, from the storage, network information associated with the user

information (col. 3, lines 31-36, col. 5, lines 19-23), comparing the request with the user

information and the associated network information (col. 5, line 66 to col. 6, line 6, col. 7, lines

33-63), and providing the requested service based on the comparison (col. 3, lines 12-15, col. 5,

lines 22-23).

BILLWGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claim 5, BILLINGS discloses the logically linked dynamic storage

is dynamically updated in accordance with the user and network information (col. 3, lines 33-

36).

Referring to claim 6, BILLINGS discloses the step of providing the requested service is

performed by accessing the logically linked dynamic storage without having to access any other

portions of the network to minimize signal overloading (col. 3, lines 24-29).

Referring to claim 7, BILLINGS discloses a method of service creation and negotiation

in a wireless network, comprising: receiving a request from a user to create or negotiate a service

(col. 3, lines 9-1 1, col. 5, lines 16-19), accessing a storage having user information, service

information and network information stored therein (col. 3, lines 31-36, col. 5, lines 19-23),

comparing the request with the user information, the service information and the network

information (col. 5, line 66 to col. 6, line 6, col. 3, lines 33-63), and providing the data service to

the user based upon the comparison (col. 3, lines 12-15, col. 5, lines 22-23).

BILLINGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claim 8, BILLINGS discloses the steps of: periodically obtaining user,

service and network information; and dynamically updating the storage by periodically storing

the periodically obtained user, service and network information.

Referring to claim 9, BILLINGS discloses a step of dynamically storing the network

information into the first database (col. 3, lines 33-36).

Referring to claim 11, BILLINGS discloses the accessing step is performed without

having to access any other portions of the wireless network (col. 3, lines 24-29).

Referring to claim 12, BILLINGS discloses a method of service creation and negotiation

in a wireless network, comprising: receiving a request from a user to create or negotiate a service

(col. 3, lines 9-11, col. 5, lines 16-19), accessing at least a first database having network

information and user information stored therein (col. 3, lines 31-36, col. 5, lines 19-23),

comparing the request with the user information, the service information and the network

information (col. 5, line 66 to col. 6, line 6, col. 7, lines 33-63), and providing the data service to

the user based upon the comparison (col. 3, lines 12-15, col. 5, lines 22-23).

BILLINGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claim 13, BILLINGS discloses a step of dynamically storing the network

information and the user information into the first database (col. 3, lines 33-36), and SUGIARTO

et al. discloses the network information being wireless network information (paragraph [0026]

lines 8-13).

Referring to claim 15, BILLINGS discloses the accessing step is performed without

having to access any other portions of the wireless network (col. 3, lines 24-29).

Referring to claim 16, BILLINGS discloses the step of periodically updating at least the

first database with updated network and user information (col. 3, lines 33-36).

Referring to claim 17, BILLINGS discloses a system allowing service creation and

negotiation in a wired communication network, comprising: a receiver (204b) to receive a

request from a user to create or negotiate a service; and a central processing node (200 and 212)

to process the request by comparing the request with user information, service information and

network information dynamically stored therein, and to provide the requested service to the user

based upon the comparison (col. 3, lines 12-15, 31-36, col. 5, lines 19-23).

BILLINGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claims 18 and 20, BILLINGS discloses the central processing node further

comprises a first database (220) having the network information dynamically stored therein.

Referring to claim 22, BILLINGS discloses the central processing node compares the

network information and the user information without having to access any other portions of

the wireless network (col. 3, lines 24-29).

Referring to claim 23, BILLINGS discloses the central processing node periodically

updates the network information and the user information (col. 3, lines 33-36).

Referring to claim 24, BILLINGS discloses a system allowing service creation and

negotiation in a wired communication network, comprising: at least a first database (220) storing

network information and user information; and a central processing node (200 and 212) to

process the request by comparing the request with user information, service information and

network information dynamically stored therein, and to provide the requested service to the user

based upon the comparison (col. 3, lines 12-15, 31-36, col. 5, lines 19-23).

BILLINGS differs from the claim, in that, it does not disclose a wireless network

environment as claimed, which is well known in the art and can be easily modified by one of

ordinary skill in the art to meet the system requirement.

SUGIARTO et al., for example, from similar field of endeavor, teaches the method and

system of service creation and/or negotiation in a wireless network (see abstract and Figure 1),

which can be easily adopted by one of ordinary skill in the art to further modify the method of

BILLINGS to operate in wireless network environment to provide the method with wireless

communication capability.

Referring to claim 25, BILLINGS discloses the first database has the network

information and the user information dynamically stored therein (col. 3, lines 33-36), and

SUGIARTO et al. discloses the network information being wireless network information

(paragraph [0026], lines 8-13).

Referring to claim 27, BILLINGS discloses the central processing node accesses

the first database without having to access any other portions of the wireless network (col. 3,

lines 24-29).

Referring to claim 28, BILLINGS discloses the central processing node periodically

updates at least the first database with updated network and user information (col. 3, lines 33-

36).

Referring to claim 29, the combination of BILLINGS and SUGIARTO et al. discloses the

first database has a plurality of portions being physically distributed throughout the entire

wireless network, the distributed portions being connectively linked with the central processing

node (col. 4, lines 32-38).

Referring to claim 30, BILLINGS discloses the central processing node includes

the first database (col. 5, line 64 to col. 6, line 6).

4.   Claims 10, 14, 19, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable

over BILLINGS in U.S. Patent No. 4,714,989 in view of SUGIARTO et al. in U.S. Patent

Application Pub. No. US 2002/0002596 A1 as applied to claims 7-9, 12, 13, 17, 18, 20, 24 and

25 above, and further in view of AGRAHARAM et al. in U.S. Patent No. 6,035,339 (all of

records).

Referring to claims 10, 14, 19, 21 and 26, the method and system provided from the

teaching of BILLINGS and SUGIARTO et al. fails to discloses a separate second database for

storing user information or web-based network information as claimed, which is well known in

the art and commonly used in communications field for different information storage purpose.

AGRAHARAM et al., for example, from the similar field of endeavor, teaches the uses

of multiple databases for different information storage (col. 2, lines 43-51, col. 3, lines 31-35,

46-48, col. 4, lines 31-35, 58-67, col. 5, lines 9-12, col. 6, lines 27-30), which can be easily

adopted by one of ordinary skill in the art to implement into the method and system of

BILLINGS in view of SUGIARTO et al. to provide plural databases for storing different

information data to further improve the system efficiency for data storage access and control

purpose.

5.   Applicant's arguments filed May 12, 2005 have been fully considered but they are not

persuasive.

In the remark, the applicant mainly argued that neither Billings nor Suriarto references

teach or disclose the feature of "comparing the request with the user information and the

associated network information; and providing the requested service based on the comparison",

as recited in claims 1, 4, 12 and similarly recited in claims 7, 17 and 24.

The Examiner disagrees since it is the examiner's intention to broadly interpret the

checking of protocol included within the service request with the information stored at the data

center as the comparison of the request with the user information and the associated network

information (see paragraph 7, lines 33-63), since it is inherently to compare the user information

and the associated network information for determining the network protocol compatibility.

In view of the above reasoning, it is the examiner's point of view that Billings reference

alone, does teach the features of "comparing the request with the user information and the

associated network information and providing the requested service based on the comparison",

and the rejections of claims 1-30 under 35 U.S.C. 103 (a) should be sustained.

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

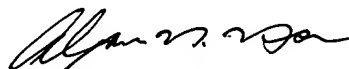will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AHH

Alpus H. Hsu
Primary Examiner
Art Unit 2665